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**STATE OF IOWA**

# **House Journal**

**WEDNESDAY, APRIL 25, 2012**

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Produced daily by the State of Iowa during the sessions of the General Assembly.  
(The official bound copy will be available after a reasonable time upon adjournment.)

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# JOURNAL OF THE HOUSE

One Hundred-eighth Calendar Day - Seventy-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, April 25, 2012

The House met pursuant to adjournment at 10:03 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by Representative De Boef of Keokuk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sidney Fehr, Page from Traer.

The Journal of Tuesday, April 24, 2012, was approved.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 24, 2012, amended and passed the following bill in which the concurrence of the House is asked:

[House File 2460](#), a bill for an act relating to Iowa's urban renewal law and incremental taxes by modifying provisions relating to the duration of urban renewal areas, the approval, duration, and use of divisions of revenue, requiring certain reporting and auditing, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

## ADOPTION OF [HOUSE RESOLUTION 145](#)

Sands of Louisa called up for consideration [House Resolution 145](#), a resolution honoring the memory of the six Littleton brothers who died during the Civil War, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 10:10 a.m., until the fall of the gavel.

The House resumed session at 11:35 a.m., Kaufmann of Cedar in the chair.

Upmeyer of Hancock asked and received unanimous consent to consider [House File 2392](#), [House File 2472](#) and [Senate File 2338](#).

#### MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 25, 2012, passed the following resolution in which the concurrence of the Senate was asked:

[House Joint Resolution 2008](#), a joint resolution nullifying a department of human services rule relating to reimbursement of physicians for services rendered in a facility setting, and including an effective date.

MICHAEL E. MARSHALL, Secretary

#### CONSIDERATION OF BILLS

##### Regular Calendar

[House File 2392](#), a bill for an act to legalize and validate the proceedings preliminary to and in connection with a special election held to authorize the imposition of a local option sales and services tax within the City of Adel, Iowa under Iowa Code Chapter 423B, declaring the validity of said proceedings and the legality of the local option sales and services tax authorized by the special election, and providing an effective date and for retroactive applicability, was taken up for consideration.

Hager of Allamakee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2392](#))

The ayes were, 63:

Anderson	Arnold	Baudler	Byrnes
Chambers	Cohoon	Cownie	Deyoe
Dolecheck	Drake	Forristall	Gaines
Garrett	Gaskill	Grassley	Hager
Heaton	Heddens	Hein	Helland

Horbach	Huseman	Isenhardt	Kearns
Kelley	Koester	Kressig	Lofgren
Lukan	Lykam	Massie	McCarthy
Miller, H.	Miller, L.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paulsen, Spkr.	Paustian	Petersen	Pettengill
Quirk	Rasmussen	Rayhons	Rogers
Running-Marquardt	Swaim	Sweeney	Taylor, T.
Thomas	Tjepkes	Upmeyer	Watts
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe	Worthan	Kaufmann, Presiding	

The nays were, 31:

Abdul-Samad	Alons	Berry	Brandenburg
De Boef	Fry	Hagenow	Hall
Hanson	Hanusa	Hunter	Iverson
Jorgensen	Kajtazovic	Klein	Mascher
Moore	Pearson	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Taylor, J.	Thede
Vander Linden	Wagner	Windschitl	

Absent or not voting, 6:

Baltimore	Jacoby	Lensing	Raecker
Van Engelenhoven	Wenthe		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Paulsen in the chair at 11:43 a.m.

#### COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON  
Chief Clerk of the House

#### COMMITTEE ON WAYS AND MEANS

[House File 2472](#), a bill for an act extending the period for determining the rates of the motor fuel tax based on calculating the distribution of ethanol blended gasoline and other motor fuel, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** April 24, 2012.

### Ways and Means Calendar

**House File 2472**, a bill for an act extending the period for determining the rates of the motor fuel tax based on calculating the distribution of ethanol blended gasoline and other motor fuel, and including effective date provisions, was taken up for consideration.

Pettengill of Benton rose on a point of order under Rule 10.

The Speaker ruled the point well taken.

Paustian of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2472](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Vander Linden	Wagner	Watts	Wessel-Kroeschell



Isenhart of Dubuque moved to suspend the rules to consider amendment [H-8510](#).

Roll call was requested by Isenhart of Dubuque and McCarthy of Polk.

On the question "Shall the rules be suspended to consider amendment [H-8510](#)?" ([S.F. 2338](#))

The ayes were, 34:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Kajtazovic	Kearns
Kelley	Kressig	Lykam	Mascher
McCarthy	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Petersen	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 58:

Alons	Anderson	Arnold	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Klein	Lofgren
Lukan	Massie	Miller, L.	Moore
Olson, S.	Paustian	Pearson	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

Absent or not voting, 8:

Baltimore	Jacoby	Kaufmann	Koester
Lensing	Miller, H.	Van Engelenhoven	Wenthe

The motion to suspend the rules lost.

Isenhart of Dubuque offered amendment [H-8511](#) filed by him from the floor.

Cownie of Polk rose on a point of order that amendment [H-8511](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8511](#) not germane.

Isenhart of Dubuque asked for unanimous consent to suspend the rules to consider amendment [H-8511](#).

Objection was raised.

Isenhart of Dubuque moved to suspend the rules to consider amendment [H-8511](#).

Roll call was requested by Isenhart of Dubuque and McCarthy of Polk.

On the question "Shall the rules be suspended to consider amendment [H-8511](#)?" ([S.F. 2338](#))

The ayes were, 35:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Kajtazovic	Kearns
Kelley	Kressig	Mascher	McCarthy
Miller, H.	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Petersen	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 58:

Alons	Anderson	Arnold	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Klein	Lofgren
Lukan	Lykam	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer

Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

Absent or not voting, 7:

Baltimore	Jacoby	Kaufmann	Koester
Lensing	Van Engelenhoven	Wenthe	

The motion to suspend the rules lost.

Isenhart of Dubuque asked and received unanimous consent to withdraw amendment [H-8508](#), previously deferred, filed by him on April 24, 2012.

Mascher of Johnson rose on a point of order under Rule 10.

The Speaker ruled the point not well taken.

Cownie of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2338](#))

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhart	Iverson	Jorgensen
Kajtazovic	Kearns	Kelley	Klein
Kressig	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner

Watts	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 7:

Baltimore	Jacoby	Kaufmann	Koester
Lensing	Van Engelenhoven	Wenthe	

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2392, 2472** and [Senate File 2338](#).

The House stood at ease at 12:30 p.m., until the fall of the gavel.

The House resumed session at 3:06 p.m., Speaker Paulsen in the chair.

#### INTRODUCTION OF BILL

[House File 2473](#), by committee on ways and means, a bill for an act relating to economic development and the use of funds by establishing programs and funds, affecting programs, tax incentives, and project completion and other assistance administered by the economic development authority, by diverting withholding tax payments for such programs, incentives, and assistance, by abolishing the film tax credit program, by replacing references to the economic development fund and financial assistance program, and by providing spending authority, by providing for properly related matters, and including effective date and retroactive and other applicability provisions.

Read first time and placed on the **ways and means calendar**.

## LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone  
Koester of Polk  
Raecker of Polk

Kaufmann of Cedar  
Lensing of Johnson  
Van Engelenhoven of Marion

## AMENDMENT FILED

[H-8509](#)      [H.F. 2460](#)      Senate Amendment

On motion by Upmeyer of Hancock the House adjourned at 3:07 p.m., until 10:00 a.m., Thursday, April 26, 2012.